

Message

**From:** Chamberlain, Eliodora [Chamberlain.Eliodora@epa.gov]  
**Sent:** 10/29/2020 2:11:11 PM  
**To:** Gaggero, Jaime [gaggero.jaime@epa.gov]; Hurl, Kathy [Hurl.Kathy@epa.gov]  
**Subject:** RE: Corps/NDEE 404 MOA

I was thinking the same thing you are Jaime.



Eliodora Chamberlain, PhD  
USEPA Region 7  
Water Division  
Watersheds & Grants Branch  
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### Cruise through our Region 7 ESTP Sharepoint Site

#### Ex. 6 Personal Privacy (PP)

Save a Spot on your calendars for these upcoming Region 7 ESTP Activities:

Nov 2, 2020: R7 CWA 401 Work Group discussion on Nationwide Permits

TBD Nov 2020: ESTP CEF Revisions Webinar

TBD 2021: FY21 WPDG RFA release

1<sup>st</sup> or 2<sup>nd</sup> week of May 2021: Corps Wetland Delineation Training

Late May 2021: 2021 NWCA Training

Nov 2-4, 2021: Region 7 ESTP Conference

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**From:** Gaggero, Jaime <gaggero.jaime@epa.gov>  
**Sent:** Wednesday, October 28, 2020 2:42 PM  
**To:** Chamberlain, Eliodora <Chamberlain.Eliodora@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>  
**Subject:** FW: Corps/NDEE 404 MOA

Kathy and Eliodora,

I received the below email from Nebraska – basically asking about the extent of EPA's review of the MOA established b/w the Corps and the State. I am

#### Ex. 5 Deliberative Process (DP)

## Ex. 5 Deliberative Process (DP)

Thanks in advance -

Jaime Gaggero  
Watersheds and Grants Branch Chief  
U.S. Environmental Protection Agency R7  
11201 Renner Blvd. Lenexa, KS 66219



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**From:** Johnson, Laura R <[laura.r.johnson@nebraska.gov](mailto:laura.r.johnson@nebraska.gov)>

**Sent:** Tuesday, October 27, 2020 1:08 PM

**To:** Gaggero, Jaime <[gaggero.jaime@epa.gov](mailto:gaggero.jaime@epa.gov)>

**Subject:** Corps/NDEE 404 MOA

Hi Jaime,

We meet with the Corps again tomorrow and have a few quick questions for you regarding EPA review and approval of our MOA with the Corps. Our understanding is that EPA will review and approve the MOA document once we submit our complete program package. In the MOA document we are outlining procedures for modifying the administrative line shapefile in GIS and the list of retained waters (retained is easier for us than assumed). I would like to clarify that EPA does NOT need to review and approve the actual list or shapefile when we modify them as long as we are following the procedures outlined in the MOA, correct?

We were originally going to have the list as an attachment to the MOA but now we are wondering if making that an attachment will cause unnecessary and lengthy review and updates to the MOA. In addition, having the actual list and shapefile as part of the B.h. program package could cause similar issues. I think a description of the methods used to create the administrative line and providing a link to the list and kmz/shapefile would be a better option and we could simply house this information on our webpage. Thoughts?

Thanks,

**Laura Johnson**

CWA 404 Section Supervisor | Permitting & Engineering Division

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